

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**FEBRUARY 29, 2008**

**MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT**

TRUSTEES OF THE SUBURBAN TEAMSTERS )  
OF NORTHERN ILLINOIS PENSION FUND )  
AND WELFARE FUNDS, )

Plaintiff, )

v. )

KHLOUD HEGAZIN, Individually and d/b/a )  
AMERICAN GROUP TRUCKING CO. )

Defendant. )

No.

Judge

**JUDGE GUZMAN  
MAGISTRATE JUDGE KEYS**

**08 C 1228**

**COMPLAINT**

Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS ("Funds"), by their attorneys, John J. Toomey, of Arnold and Kadjan, complain against Defendant, KHLOUD HEGAZIN, Individually and d/b/a AMERICAN GROUP TRUCKING CO., as follows:

**COUNT I**

**JURISDICTION AND VENUE**

1. (a) Jurisdiction of this cause is based upon Section 502 of the Employee Retirement Income Security Act of 1974, 29 U.S.C. Section 1132 ("ERISA") and 29 U.S.C. 1145 as amended.

(b) Venue is founded pursuant to 29 U.S.C. Section 1132(e) (2) in this district, where the Fund as described in Paragraph 2, is administered.

**PARTIES**

2. (a) Plaintiffs are the TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS ("Funds") and have standing to sue pursuant to 29 U.S.C. 1132(a)(3).

(b) The SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS have been established pursuant to collective bargaining agreement previously entered into between the International Brotherhood of Teamsters and its affiliated locals (“the Union”) and Employers;

(c) The Funds are maintained and administered in accordance with and pursuant to the provisions of the National Labor Relations Act, as amended, and other applicable state and federal laws, and also pursuant to the terms and provisions of the Agreements and Declarations of Trust which establish the Funds.

3. (a) KHLOUD HEGAZIN, Individually and d/b/a AMERICAN GROUP TRUCKING CO., employs persons represented by the Union and is bound to make contributions for weeks worked by all employees and upon subcontractors who perform work which would otherwise be performed by employees. At the time of the contract and to date, AMERICAN GROUP TRUCKING CO. is not, nor ever has been, a corporation licensed to do business in the State of Illinois.

(b) KHLOUD HEGAZIN, Individually and d/b/a AMERICAN GROUP TRUCKING CO., operates a business with its principal place of business at 19425 Everette Lane, Mokena, Illinois. Said address is the residence of Ms. Hegazin.

(c) KHLOUD HEGAZIN, Individually and d/b/a AMERICAN GROUP TRUCKING CO., is an employer engaged in an industry affecting commerce.

4. KHLOUD HEGAZIN, Individually and d/b/a AMERICAN GROUP TRUCKING CO., entered into Area Construction Agreement for the period June 1, 2006 through May 31, 2009 with Teamsters 179 which require contributions to the Funds pursuant to 29 U.S.C. 1145.

5. Pursuant to the collective bargaining agreements between KHLOUD HEGAZIN, Individually and d/b/a AMERICAN GROUP TRUCKING CO., and the Union, KHLOUD HEGAZIN, Individually and d/b/a AMERICAN GROUP TRUCKING CO., has failed and continues to fail to make its obligated contributions to the Fund for the period June, 2007 through November, 2007, as disclosed in an audit which took place on February 18, 2008.

6. The audit disclosed \$6,259.20 due the Pension Fund and \$8,581.92 due the Welfare Fund for a total of \$14,841.12.

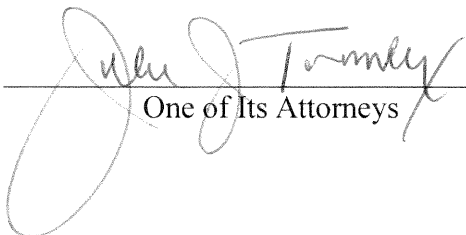
WHEREFORE, Plaintiffs pray:

A. This court enter judgment in favor of the Plaintiffs and against KHLOUD HEGAZIN, Individually and d/b/a AMERICAN GROUP TRUCKING CO., in the amount of the audit, \$14,841.12.

B. That this court award the plaintiffs their attorneys' fees, costs, interest, and liquidated damages pursuant to 29 U.S.C. 1132(g)(2) and the relevant collective bargaining agreements and trust agreements.

C. That the Court grant such further relief as is proper.

TRUSTEES OF THE SUBURBAN TEAMSTERS  
OF NORTHERN ILLINOIS WELFARE AND  
PENSION FUNDS

By:  \_\_\_\_\_  
One of Its Attorneys

John J. Toomey  
ARNOLD AND KADJAN  
19 West Jackson Boulevard  
Chicago, Illinois 60604  
(312) 236-0415

## **EXHIBIT A**

American Group Trucking Co.  
00133-3244

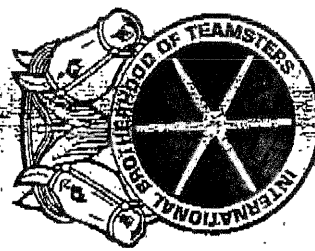
AREA CONSTRUCTION AGREEMENT  
BETWEEN

TEAMSTERS LOCAL 179

AN AFFILIATE OF THE  
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

AND

CONTRACTORS ASSOCIATION OF  
WILL AND GRUNDY COUNTIES



JUNE 1, 2006 THROUGH MAY 31, 2009

FOR NON-ASSOCIATION EMPLOYERS  
FOR TEAMSTERS LOCAL 179

BY: James A. Hays

TITLE: President

DATE: 5/1/07

FOR THE COMPANY

COMPANY: American Group Trucking Co.

ADDRESS: 19425 Everett Lane

Mokena IL 60448

City State Zip

PHONE: 708-369-7595

BY: Khlood Hegazy

TITLE: Khlood Hegazy

DATE: 5-1-2007